## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 10/529401

Applicant(s)

Christy LUDLOW et al.

Appl. No.:

To be assigned

Examiner: Unassigned

Filing Date:

Concurrently Herewith

Art Unit: Unassigned

Title:

METHODS AND DEVICES FOR INTRAMUSCULAR STIMULATION OF

UPPER AIRWAY AND SWALLOWING MUSCLE GROUPS

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56 and 37 CFR §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

## **RELEVANCE**

The foregoing documents came to the Applicants attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Attorney Docket No: 38163-0194US03

## TIMING/FEE JC17 Rec'd PCT/PTO 28 MAR 2005

The instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

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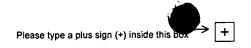
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Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449A/PTO Complete if Known Unassigned **Application Number** INFORMATION DISCLOSURE Filing Date Concurrently Herewith Christy L. LUDLOW et al. First Named Inventor

STATEMENT BY APPLICANT Group Art Unit Unassigned (use as many sheets as necessary) **Examiner Name** Unassigned 38163-0194US03 Sheet Attorney Docket Number

				U.S. PATENT DOCUM	MENTS	
Examiner Initials *	Cite No.1	U.S. Patent Document		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Releva
		Number	Kind Code <sup>2</sup> (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	A01	2002/0049479	A1	PITTS	4/25/2002	
	A02	6,198,970	B1	FREED et al.	3/6/2001	
	A03	2002/0133194	A1	LEELAMANIT et al.	9/19/2002	·
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				FOREIGN	PATENT DOCUMENTS			
Examiner Initials*	Cite No.1	Foreign Patent Document				Date of	Pages, Columns, Lines, Where	
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Publication of Cited Document MM-DD-YYYY	Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
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Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark hee if English language Translation is attached.